

PLANNING COMMISSION REPORT



MEETING DATE: SEPTEMBER 27, 2006 ITEM No. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT **Lone Mountain Office - 6-GP-2006**

REQUEST Request to approve a major General Plan Amendment of the Land Use Element from Rural Neighborhoods to Office on a 2.5 +/- acre parcel located at 7171 E. Lone Mountain Road.

Staff Recommendation *Staff recommends denial of case 6-GP-2006 to amend the General Plan Land Use element.*

OWNER Diversified Partners LLC
480-947-8800

APPLICANT CONTACT Tom Rief
Land Development Services LLC
480-946-5020

LOCATION 7171 E. Lone Mountain Rd.



SUMMARY OF MAJOR ISSUES **Key Items for Consideration**

- Desert Foothills Character Area Plan.
- Office use not supported in underlying Foothills Overlay zoning area.
- Scenic Corridor designation on Scottsdale Road & Desert Scenic Drive designation on Lone Mountain Road.
- Transition/buffering adjacent single family residential use.
- Vehicular Access related to driveway to intersection spacing.
- Concerns of precedent setting change of character for this portion of Scottsdale Road.

Related Policies, References

General Plan
Desert Foothills Character Plan
Foothills Overlay portion of Zoning Ordinance
Scenic Corridor Design Guidelines
Desert Scenic Roadways (1-GP-2004)

BACKGROUND

Context

This site is located at the southwest corner of Scottsdale Road and Lone Mountain Road. The property is included within the Environmentally Sensitive Lands area and the Desert Foothills Character area boundaries. The neighborhood west of Scottsdale Road is comprised of non-subdivided one to

five-acre residential lots. The Whisper Rock Unit 1 subdivision is located to the northeast of the subject site, and generally is comprised of one-acre single family home sites. A commercial center site is located across Scottsdale Road to the east, and has recently received Development Review Board approval.

General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. The subject site is located within the Desert Foothills Character Area Plan. The Open Space and Recreation Element designate Scottsdale Road as a Scenic Corridor, and Lone Mountain as a Desert Scenic Roadway.

Land Use Designations adjacent to the subject site:

- North of this site the land use category is Rural Neighborhoods.
- South of this site the land use category is Rural Neighborhoods.
- East of this site the land use category is Commercial surrounded by Suburban Neighborhoods. These land uses and the associated underlying zoning were established under the jurisdiction of Maricopa County prior to annexation by Scottsdale in the mid 1980's.
- West of this site the land use category is Rural Neighborhoods.

**APPLICANT'S
PROPOSAL****Proposed Amendment**

Case 6-GP-2006 is a request proposed by the applicant to amend the General Plan Land Use designation for a roughly 2.5 acre property located at the southwest corner of Scottsdale Road and Lone Mountain Road.

The applicant's request is to change the General Plan land use designation from Rural Neighborhoods to Office (Minor Office). Concurrent rezoning (7-ZN-2006) and use permit (17-UP-2006) cases have been submitted in association with this request.

The concurrent zoning and use permit cases submitted by the applicant indicate a proposed bank use for this site. The applicant is requesting a SR - Service Residential zoning classification. *Staff has informed the applicant that if the General Plan Amendment is denied, the related zoning and use permit cases will also be denied due to their non-conformance with the General Plan.*

Impact Analysis Provided by the Applicant

The applicant suggests that the proposed land use change would have lower water usage and wastewater generation than the current land use.

The applicant has indicated that the proposed land use change would result in a significant increase in average trips per weekday when compared to the current land use. The applicant's project narrative has been attached to this report for specific reference purposes.

STAFF ANALYSIS**General Plan**

In examining the Land Use Element of the General Plan, the following Values, Goals and Approaches should be considered when evaluating the proposed amendment:

Scottsdale Values

- Respect for the natural environment.
- Respect for the existing and historical context of the built environment.
- A rich mix of living, working, and playing environments that do not violate or intrude upon the values that make each place unique or special.
- Aesthetic design of uses to fit with the surrounding character and scale.

Goals and Approaches

Citywide Land Use Policies

Encourage the transition of land uses from more intense regional and city wide activity areas to less intense activity areas within local neighborhoods.

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
- Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or man made buffers are not available.

Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.

- Allow for a diversity of residential uses and supporting services that provide for the needs of the community.

Local Land Use Relationships

Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

- Protect sensitive natural features from incompatible developments, and maintain integrity of natural systems.
- Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.
- Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Downtown and the Airport). Less intense land uses should be located within more environmentally sensitive lands.
- Sensitively integrate neighborhood services, schools, parks, and other civic amenities into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.

Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

- Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.

The applicant's request is to change the General Plan land use designation from Rural Neighborhoods to Office (Minor Office).

The General Plan describes the Rural Neighborhoods land use category as follows: "This category includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. Native desert vegetation predominates many areas and

special care is required to preserve the area's open desert character and environmental features. Much of the terrain includes gentle to moderate slopes and rolling ground, intersected by several washes. Grading often requires extra care in areas with moderate slopes. Clustering is encouraged to preserve desert vegetation, washes, and natural features. Some of these areas were developed with one-acre lots under Maricopa County standards prior to annexation by Scottsdale. Equestrian uses and privileges may exist in the flatter areas as many lots are large enough for horses and these neighborhoods take on a rural, equestrian character when compared to surrounding areas that have smaller, suburban lots."

The General Plan's Land Use Element describes the Office land use as follows: "The office designation includes a variety of office uses. Minor offices have a residential scale and character, often in a campus setting. Minor office uses generate low to moderate traffic volumes, and could be located along collector as well as arterial streets. They generally are one-story structures, with at-grade parking (zoning categories determine building heights and setbacks). Strict development and landscaping requirements will protect adjacent residential uses. Major offices include offices and related uses that have more than one story and may have underground parking. Typically, this use is in and around the central business district, other major commercial cores, or freeway interchanges. Arterial roadway access is desirable. Landscaping and development standards for major offices vary, depending upon the location of the use."

Staff Analysis

The subject site resides within the Desert Foothills Character Area. This area has an established Character Area Plan approved by City Council. All development should be subject to the objectives and guidelines of that plan.

The proposed amendment is requesting the insertion of a land use category that supports only zoning classifications that are not supported by the Desert Foothills Character Area Plan as it was more specifically refined through the Foothills Overlay (F-O) Zone. "***Sec. 6.1002. Applicability. The Foothills Overlay (FO) district may be overlaid upon the following zoning districts: R1-43, R1-70, R1-130, R1-190 and COS, HC and OS and may be combined with the ESL and HP overlay districts.***"

Scottsdale Road is designated in the General Plan as a Scenic Corridor, and the adjacent frontage of Lone Mountain is also designated as a Desert Scenic Roadway. Each of these designations entails substantial, native desert setbacks measured from the outside of the ultimate planned right-of-way line.

The size of the subject site is an issue that should be considered with this request for the following reasons:

- Possible inadequate site area to provide for a reasonable transition between this proposed non-residential use and the established residential uses adjacent to this site to the north, west and south. *The site's location within the Desert Foothills Character Area presents challenges different to those found in more suburban and urban contexts. "Continuous perimeter walls should not be used so that the open desert character within neighborhood*

is maintained and wildlife access is retained. Walls should be no more than 4 (four) feet in height so that they blend into the desert and do not cut off vistas.” (Desert Foothills Character Area Single Family design guidelines)

- Possible inadequate site area to provide for the full Scenic Corridor, and Desert Scenic Roadway natural desert landscape buffer widths prescribed for non-residential development as described in the Development Review Board approved Scenic Corridor Design Guidelines and the General Plan as amended in case 1-GP-2004. *Specifically the Scenic Corridor buffer along Scottsdale Road should be 100 feet. The buffer may taper to the lesser established buffer depth of the property to the south. The rate of taper should be made at a ratio of not greater than one foot in depth to three feet of length. The Desert Scenic Roadway buffer should be no less than 40 feet. All buffers should be measured from the back of the ultimate right-of-way width.*
- Vehicular access issues to and from this site due to conflicts for non-residential driveway to intersection spacing standards and the limitations of linear frontage dimensions. *Transportation staff has suggested that access should be limited to Lone Mountain Road. Future access may be limited to right-in, right-out only.*

Further concerns about this request are the specific nature of requested land use change and the small size of the request in relation to the surrounding established land use context. The current proposal would place a small island of land use of a different intensity and character within a larger area of a less intense rural residential neighborhood character.

The application attempts to relate the proposed land use change to the historic commercial site to the east across Scottsdale Road. The commercial zoning for the planned center to the east of this site was established in the early 1980's while the property was under Maricopa County jurisdiction. This parcel's existing land use designation and zoning were adopted by the City during the annexation, General Plan up-date, and related zoning processes in 1984-1986. Staff identifies Scottsdale Road as a secure and defined boundary, and therefore, would question the applicant's position of extending a logical relationship with the commercial land use to the east.

Staff is concerned that the proposed land use change could erode the existing rural residential character along this portion, and more specifically this side of Scottsdale Road. There is a possibility that approval of this proposed change could trigger expectations of a tolerance for additional non-residential uses along the Scottsdale Road frontage in this area. In addition to an undesirable character change for this edge of the Desert Foothills Character Area, this type of change could also create transportation issues. Specifically, the unplanned need for multiple business accesses directly from Scottsdale Road could create congestion and a probability for accidents at a higher rate than traffic patterns anticipated for the established Rural Neighborhood land use.

Additionally, staff points out that even though the applicant has submitted related cases for a bank use on this site, the compatibility of other possible uses allowed under any zoning classification permitted within the Office (Minor Office) land use designation would need to be evaluated in consideration that

the proposed bank use could change over time. *Zoning districts that generally conform to the Office Land Use designation include Service Residential (SR), and Commercial Office (CO) zoning districts.*

Community Involvement

A City-sponsored open house for cases 4-GP-2006, 5-GP-2006, and 6-GP-2006 (this case) was held on June 5, 2006 from 5:30 p.m. to 6:30 p.m. at the Scottsdale Water Campus at 8787 Hualapai Drive. Eleven persons in addition to City staff were in attendance.

Verbal input was received by staff both for and against the proposed amendment. One written comment card of support was submitted by the property owner adjacent to the south of this property. This card is included in the attachments to this report.

Additionally, staff has received two letters in opposition to this request. One from an individual citizen and one from the Greater Pinnacle Peak Association/Friends of the Scenic Drive. Both letters are included as attachments to this report.

The applicant has provided information to staff indicating notification to residents within a one-mile radius of the site of a public open house meeting scheduled for August 23, 2006, at the La Mirada Desert Park Community Center. Additionally, the applicant provided staff with copies of over 100 signed form letters of support for their case (see attachment).

A remote Planning Commission Hearing took place at 5:00 p.m. on August 30, 2006, at the Via Linda Senior Center. Public testimony was received. The draft minutes of this hearing are attached. One email of support has been received by staff since the public hearing.

During the hearing the Planning Commission requested a legal opinion regarding the relationship of the concurrent zoning and use permit cases in consideration of the requested General Plan Amendment. The City Attorney's Office responded by stating "...there is no authority in state law or the City Code that would authorize conditioning the approval of the general plan amendment on the development features of the rezoning case."

STAFF RECOMMENDATION

Staff recommends denial of case number 6-GP-2006 to amend the General Plan Land Use element.

Reasons for recommendation of denial:

- *Office use not supported in Desert Foothills Character Area Plan.*
- *Zoning districts supported by Foothills Overlay District do not include those districts supported by General Plan Office Land Use designation.*
- *Concerns of precedent setting change of character for this portion of Scottsdale Road.*

Next Steps

City Council Hearing – 5:00 p.m. October 31, 2006. City Hall, 3939 N. Drinkwater Boulevard, Scottsdale Arizona

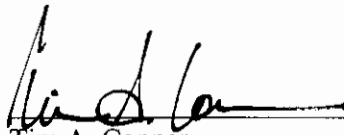
**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Advance Planning

STAFF CONTACT(S)

Tim A. Conner
Sr. Planner, Advance Planning
480-312-7833
E-mail: tconner@scottsdaleaz.gov

REPORT AUTHOR



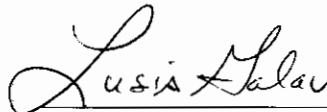
Tim A. Conner
Report Author

APPROVED BY



John Lusardi
Advance Planning Director

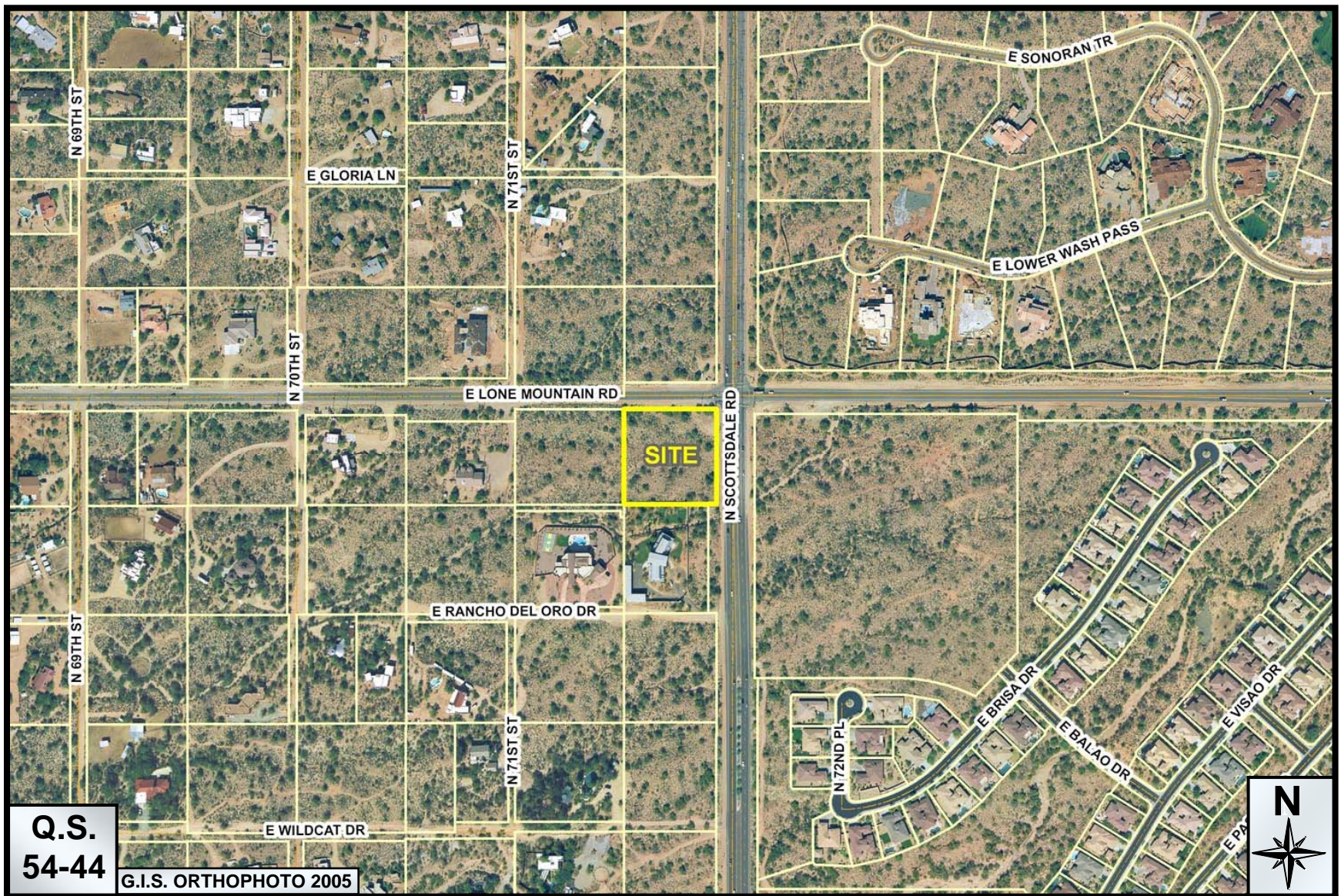
REVIEWED BY



Lusia Galav, AICP
Current Planning Director

ATTACHMENTS

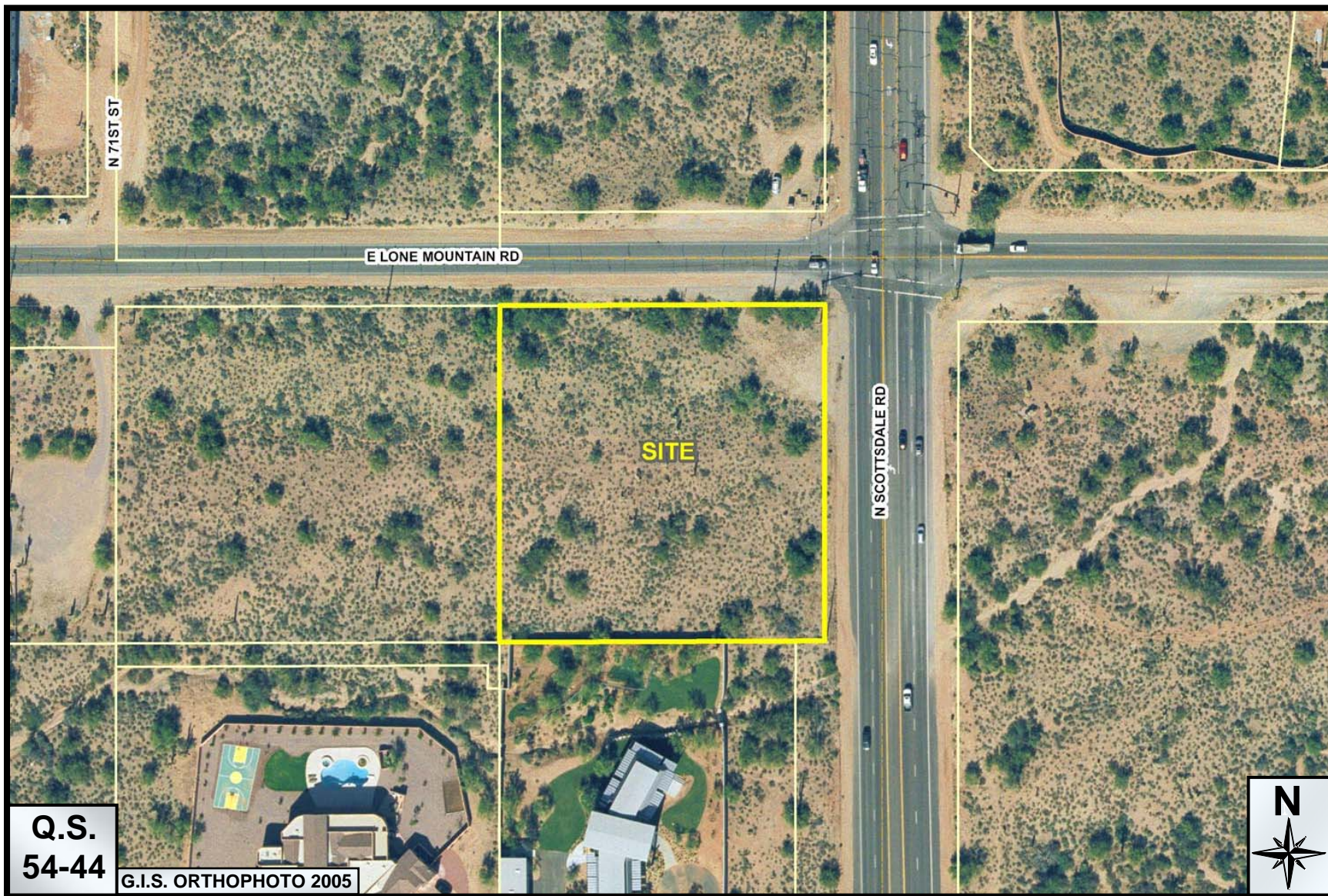
1. Context Aerial
2. Aerial Close-Up
3. Existing Land Use Map
4. Proposed Land Use Map
5. Applicant's Narrative
6. Citizen Involvement
7. Draft August 30, 2006 Remote Planning Commission Hearing Minutes



Lone Mountain Office

6-GP-2006

ATTACHMENT #1

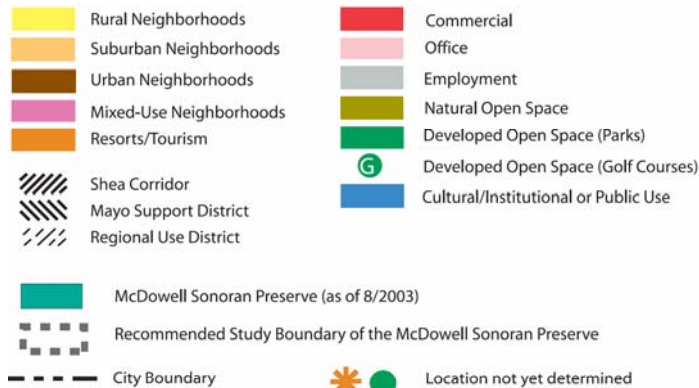
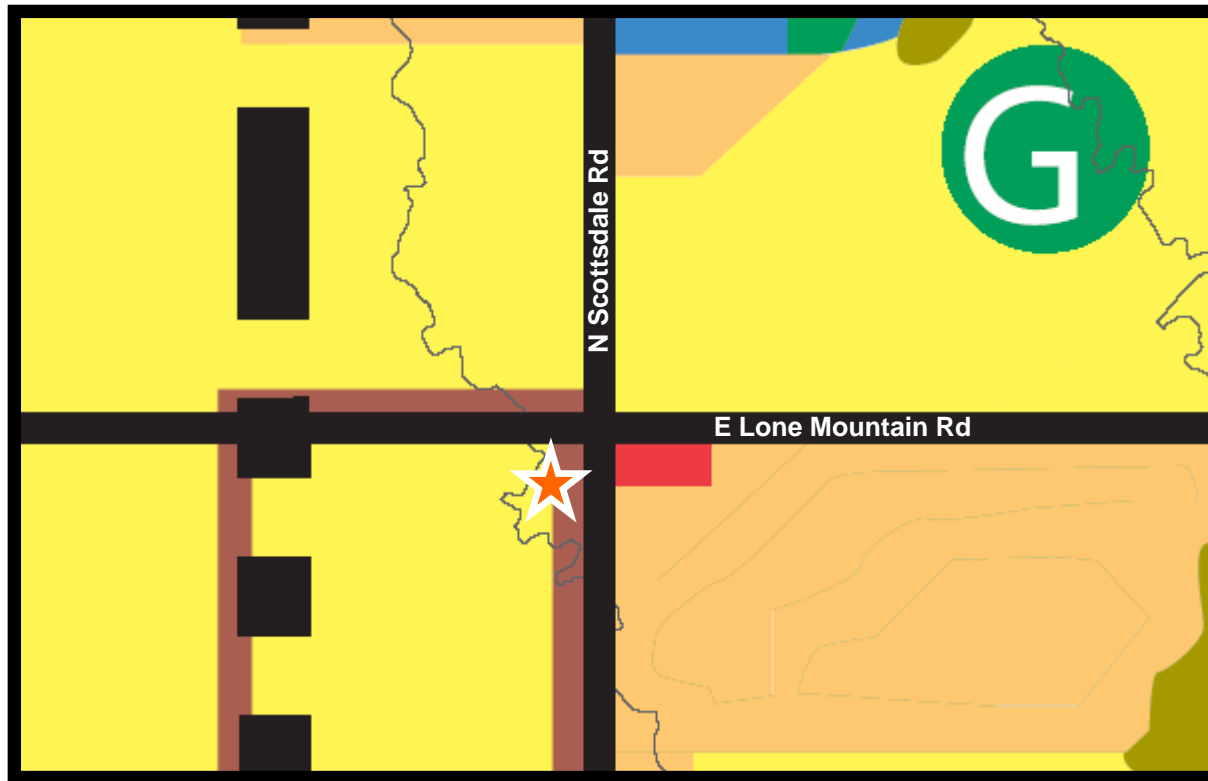


Lone Mountain Office

6-GP-2006

ATTACHMENT #2

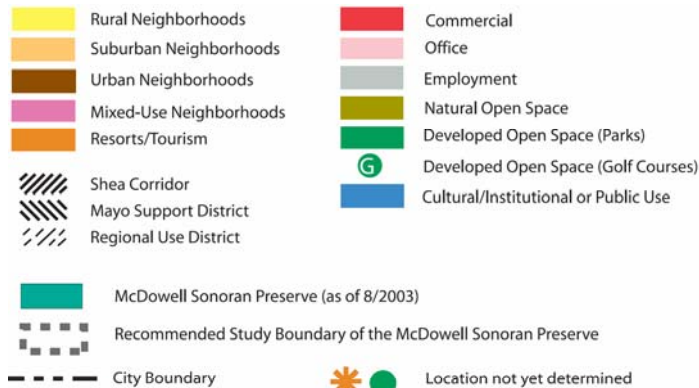
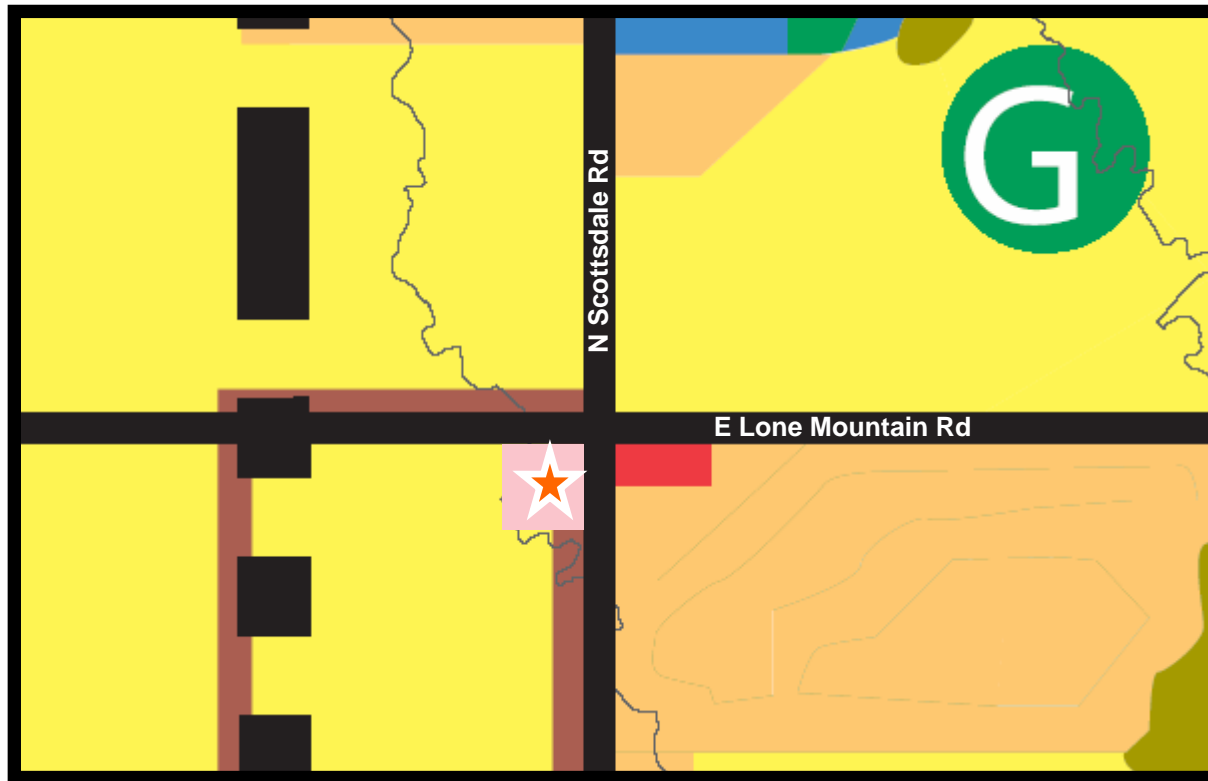
Existing General Plan



6-GP-2006
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004

Proposed General Plan



6-GP-2006

ATTACHMENT #4

Adopted by City Council October 30, 2001
 Ratified by Scottsdale voters March 12, 2002
 revised to show McDowell Sonoran Preserve as of May 2004
 revised to reflect General Plan amendments through June 2004

Project Narrative, Analysis & Discussion for:

General Plan Amendment -
Rural Neighborhood to Office
2.5 acre site @ SWC Lone Mountain
& Scottsdale Roads

133-PA-06

**Prepared by: Land Development Services, L.L.C.
4413 – N. Saddlebag Trail #5
Scottsdale, AZ 85251**

Rev. 6/9/06

I. Project Overview

This request is for a General Plan Amendment from the Rural Neighborhood Category to the Office category on a 2.5 acre parcel located at the southwest corner of Lone Mountain & Scottsdale Roads (the "Property"). The Property is an undeveloped parcel that was annexed into the City and down zoned from Rural-43 (County) to R1-70 (City) in 1984. Across the street to the east is the planned Pederson Shopping Center, a 14.7 acre commercial site with 100,000 s.f. of retail space that was originally planned prior to annexation of the area. The Property is located within the Desert Foothills Character Area and covered by the Scottsdale Road Scenic Corridor Design Guidelines along with the Great Sonoran Desert Design Concepts and the Sensitive Design Principles.

The location of this 2.5 (gross) acre Property at the SWC of two major roadways – Lone Mountain & Scottsdale Roads is unique in-as-much as the Property will be required to dedicate additional property for R.O.W. along Lone Mountain & Scottsdale Roads. There is also a requirement for dedication of a scenic corridor / open space setback along both Scottsdale & Lone Mountain Roads. The impacts from the existing and future roadway traffic, Pederson Shopping Center, R.O.W. dedication and scenic setbacks result in a single family zoned parcel of-which its viability as a single-family lot has been dramatically diminished.

As this application moves through the process, a rezoning and use permit application will accompany the General Plan amendment. The rezoning application will be from R1-70 single-family residential to S-R (Service Residential). The S-R District is intended to provide professional type office uses of a local residential scale and character, intended to serve the local residents. The property development standards of the S-R District are strict in order to protect the low-density residential character of the area while allowing flexibility to promote a viable accessory use to the neighborhood.

Subsequently, a Use Permit application will be submitted for a Bank use. The zoning ordinance states Use Permits are granted to property owners to allow specific uses in a District. A specific site plan and building elevations will be presented as part of the Use Permit review and these elements will ensure the compatible nature of the project.

A thorough review of the elements of the General Plan and a review of the existing characteristics of the neighborhood along with an analysis of the future development in the area suggest the Property, from a long term Land Use / Planning perspective is most viable as a small scale office type development.

II. How this application furthers the Goals of the General Plan:

Character & Lifestyle - The Character & Lifestyle principle seeks to promote a balance between the natural environment, the built environment and the surrounding neighborhood context.

The proposed General Plan amendment and subsequent Bank use promote the goal of a sustainable character by making the Property a viable "in-fill" type property. Remember, the impacts of the adjacent roadway dedications, scenic corridor setbacks, high traffic volumes and adjacent commercial shopping center challenge the quality of life available to a single-family user of the Property. Allowing the Property to respond to the character elements around it will promote a long-term solution to the challenges faced by the Property.

The General Plan recognizes that Scottsdale first and foremost is a residential community where the diversity and arrangement of land uses is designed to enhance quality of life and ensure long-term prosperity. This amendment promotes a variety of living and working opportunities through different land uses that are vital to neighborhoods. Per the City website, only 1% of the City's land is used or planned for offices. 54% of the City is reserved or developed for residential uses. The strong residential nature of the northern part of the City needs and deserves long-range thinking and decision-making, one that places appropriate scale office development in areas best situated to compliment the character of the area. This application places an office land use element in such an area.

Economic Vitality - The Economic Vitality Element addresses policies to better evaluate decisions and encourage economic development that will sustain the community. The Element has been prepared to ensure that the needs of Scottsdale's residential neighborhoods are balanced with those of its business community. This Element acknowledges the economic factors that strongly influence the future well being of the community and its current and future neighborhoods and residents.

This proposal integrates a non-residential development into a transitional area while protecting the integrity and value of the adjacent neighborhood. In the context of the Property, this development actually creates a superior opportunity for Scottsdale to realize a vision of strong neighborhood support services by placing this use on a relatively small parcel unsuitable for a single-family home.

Neighborhoods - Public participation is an important component of successful planning and community decision-making. We have fostered early and ongoing neighborhood involvement by contacting all property owners within approx. 1000 feet of the property. Owners were sent letters that included colored site plan, building elevations and a context aerial depicting the proposal. In addition, property owners were contacted by phone and the site has been posted with a Project Under Consideration sign. As the process moves forward, additional conversations and neighborhood meetings will take

place. All in an effort to promote the sharing of information as it relates to the specifics of the application and the City review process, all with the goal of preserving and defining the character of the neighborhood.

Open Space - Scottsdale citizens have often affirmed that one of our community's highest priorities is preserving and protecting the environment. Scottsdale's distinctive natural resources and environment contribute to our quality of life and the community's economic vitality.

This proposal will follow the principles outlined in the Scenic Corridor Guidelines and provide a continuation of the scenic setback along both Scottsdale & Lone Mountain Roads. Environmental features, native vegetation and wildlife habits will be preserved with the goal of achieving a sustainable balance between the conservation, use and development of Scottsdale's natural resources.

Sustainability - The city currently uses Policies & Guidelines to determine the level of participation a new development has relative to public infrastructure, based in part on the size and type of development. Through the zoning process and the development review process the city can evaluate appropriate dedications, development fees, and infrastructure provision. It is important to recognize that the likelihood of a small Property to participate in contributing to large areas of infrastructure within the city is slimmer now than in the past.

The financial ability of the Property to contribute to the local infrastructure is equal to or greater than that to be realized by the parcel if developed as a single-family lot.

Transportation - This section of the General Plan recognizes mobility choices to provide alternatives to the automobile and increase accessibility of the neighborhood to the community. The General Plan acknowledges that each neighborhood is diverse and has different mobility needs. The Transportation Master Plan is a comprehensive look at the city's entire transportation system. The master plan will work from the General Plan goals to identify specific issues to address transportation needs and objectives.

The Property and subsequent use will provide a local need serving the neighborhood without acting as a regional draw that would put additional stress on the local transportation network. Therefore, alternative transportation resources can be used to access the Property and ultimately relieve the stress on the City roadway system.

III. Additional Analysis:

The estimated impact this amendment will have on water usage per year will be a less increase in usage when compared to a single-family development.

The estimated impact this amendment will have on wastewater generated per year will be less when compared to a single-family development.

The estimated number of employees this amendment will result in has an increase when compare to a single-family use.

The estimated impact this amendment will have on traffic or vehicle trips per day will result in an overall increase:

- The intersection of Scottsdale and Lone Mt. has an average daily volume of 26,000 vehicles.
- The north leg average daily volume (combined) is 21,500.
- The south leg average daily volume (combined) is 21,900.
- The east leg average daily volume (combined) is 4,300.
- No data on the west leg.

Trip Generation for the Pederson Shopping Center on the SE corner is anticipated to be:

- Total Weekday Daily Traffic: 6923
- Weekday AM Peak Hour Traffic: 705
- Weekday PM Peak Hour Traffic: 517

Estimated Trip Generation for a typical bank of this size is:

- Total Weekday Daily Traffic: 980
- Weekday AM Peak Hour Traffic: 144
- Weekday PM Peak Hour Traffic: 241

IV. Analysis of changes to the General Plan Elements resulting from the proposed amendment:

- **Character and Lifestyle**
 - For the purpose of this Element, the application sets forth proposed design standards, neighborhood character/compatibility and Design Review opportunities that are not part of a single-family lot development.
 - While the existing Rural land use designation was deemed appropriate for this area, a specific review of the site conditions demonstrate that this site is severely compromised by: the scenic corridor and roadway dedication requirements; roadway noise and traffic signal, lights; and the commercial land use to the east. The proposed Land Use designation of Office results in a site-specific response to the existing custom home character and environment surrounding the site. It also allows for a controlled compatible design of the site resulting in a local support service that can appropriately respond to the surrounding conditions of the area.
- **Economic Vitality**
 - This Element helps determine if a proposed land use advances Scottsdale's economic vitality and the economic vitality of the area. By locating this office use at this mixed-use intersection, it can be directly accessed by residents and consumers in the vicinity of this intersection.
 - The proposed Office land use designation meets the goal to integrate Support Services in a way that protect and buffer the neighborhood.

- **Neighborhoods**
 - This Element focuses on the City's vision to preserve, reinforce and enhance the character and stability of its neighborhoods. This application does not change this vision and adds a neighborhood buffer element to the corner.
- **Open Space**
 - Scottsdale citizens have often affirmed that one of our community's highest priorities is preserving and protecting the environment. The Office designation at this location protects the natural Sonoran environment by providing a greater scenic corridor setback and open space dedications than could be achieved with a rural single-family land use.
 - There is no change to the Implementation of environmental programs and conservation practices such as ESLO, Native Plant Ordinance, Scenic Corridor design guidelines or Sensitive Design principles.
 - This application results in intelligent integration of urban and rural development into an ecosystem that is a supportive relationship between natural resources, environmental quality and the economy of the area.
- **Sustainability**
 - The City has long stated the philosophy that new development should "pay for itself" and not burden existing residents and property owners with the provision of infrastructure and public services for a new facility. Through the zoning process and the development review process the city can evaluate appropriate dedications, development fees, and infrastructure provision.
 - Development fees and roadway dedications will add to the community financial resources. These financial resources, along with increased sales tax dollars are items that would not be realized if this site remains a Rural land use.
- **Transportation**
 - This application has no effect on the Community Mobility or Transportation Master Plan of the City

V. Analysis of how the proposed amendment contributes to the following:

Scenic Corridor – This amendment and subsequent development is consistent with the Scenic Corridor Guidelines. The Guidelines call for a Scenic Corridor of 50 – 100 feet. Residential lots that are not part of a master plan community provide a 50' Scenic setback while commercial uses provide a 100' Scenic setback. The proposed Service Residential (S-R) District IS residential in scale and character and our plan provides for a Scenic Corridor along Scottsdale Road that averages 100'. The open space setback along Scottsdale Road results in the building being setback @ 110' from the R.O.W. line. A Scenic setback along Lone Mountain Road of 30' and overall building setback in excess of 100' is provided as well. Were this site to develop as a single-family lot, these open space and Scenic Corridor dedications would not be met. This is evident by reviewing the existing conditions of similar type single-family lots developed along Scottsdale Road.

Vista Corridor – No vista corridors apply to this property

Character Area Plans – The character of our community is complex and diverse. Each neighborhood setting holds an important image offering a unique opportunity for an elegant composition. The Desert Foothills Character Area established guidelines for design, which this application complies with by creating a residentially compatible character to the site development.

Neighborhood Plans – Neighborhood planning can be applied citywide however; it is more focused on the central & southern portions of the city and does not apply in this case.

Housing Diversity – Does not apply in this case.

Economic Diversity – Scottsdale's economy faces several economic challenges as the community matures. Build out and the traditional model by which new opportunities for economic growth are defined must be thought-through. There are new and non-traditional demands for a strong and versatile Scottsdale economy that this application provides.

Transportation – Transportation opportunities are provided with this application in as much as open space corridors are maintained, trail connections are available and a pedestrian connection from the site to the intersection can be developed.

VI. Describe key elements of the amendment identified by the Public Involvement program and what modifications have been made:

A broad based public outreach program is being utilized to maximize citizen exposure, involvement and education with the application. The program includes informational letters, conceptual site plan, building elevations and color context aerial graphics mailed to all property owners within 1000' of the Property. In addition, this information has been provided to the Whisper Rock & Bellasera Community Association groups; the Coalition of Pinnacle Peak; the Desert Property Owners Association; and the Pederson Development Group.

A primary concern raised by neighbors so far has to do with property values. As this application moves through the review process we will commission an independent study to quantify impacts of this amendment on property valuation. A second concern identified by neighborhood feedback relates to the appropriateness of the proposed use at this location. It is the City's responsibility to understand development constraints and assess their long-term impacts on property. In-as-much, perhaps this site is not a suitable location to force a single family dwelling on considering the impact of additional roadway dedications; scenic corridor dedications and open space setback; noise pollution from heavy traffic patterns and the adjacent roadway intersection; along with a 14.7 acre shopping center with a 300 +/- lighted parking lot. Proper long range planning suggests this type of fractured ownership parcel can best serve the community when utilized as a neighborhood support service land use. (also see the Neighborhood Involvement Plan submitted with this application)

VII. Describe how the amendment relates to the policies and guidelines of the Desert Foothills Character Area Plan – how it follows the plan and how it does not:

The Desert Foothills Character Area was created to promote and the character of the area by establishing guidelines while recognizing traditional development considerations without infringing on private property rights. Growth in this Area is categorized by large lot single-family custom home-sites not part of a master planned community and as such have a variety of development considerations. This amendment relates to the key points of the Character Plan in the following manner:

Preserve the natural, visual qualities of the upper desert by using desert sensitive techniques. - This amendment and subsequent development plan provide for scenic corridor dedications, open space buffers and enhanced building setbacks to enhance the visual character and open space of the area. Furthermore, desert earth tone colors and materials on the building use the principal of minimal visual impact. A minimal building height (18' max. per the S-R District) and maintenance of natural desert landscape integrated into the built form maintain the dominance of the Sonoran desert setting.

Promote connected areas of desert open space and trails. - As noted above, this site will provide a substantial scenic corridor on Scottsdale Road and Lone Mountain Road. Extended building setbacks and additional open space will minimize the visual impact of the development while providing connectivity of open space and view corridors in the area. The opportunity for trail connections are also available. Berming and vegetation screening is proposed as opposed to constructing large, expansive perimeter walls to maintain a sense of wide open space and maintain wildlife corridors.

Identify and celebrate the rural desert character of the area. - This area consists of an assortment of custom and semi-custom homes with diverse lifestyles from equestrian to suburban. This application draws from that identity a site design and building architecture that echoes a rustic rural scale and low-intense use consistent with the surrounding neighborhood character. The building uses non-reflective materials and the architect has considered all four sides of the building as a whole element to the setting of the neighborhood. Precluding any parking lot lighting follows the Dark Skies principal. Only low-level lighting for security purposes will be available. Eliminating the use of perimeter walls that enclosed space enhances the sense of openness and wildlife corridors are maintained.

Infrastructure – Unlike single-family homes developed in this area drainage and/or roadway improvements required of this development will be part of the public hearing review process. Drainage structures will blend into the natural desert by using colors and textures reflective of the surrounding conditions. Utilities will be located underground and the owner will work with utility providers to blend the colors of above ground cabinets with the surrounding desert and screen with vegetation where applicable.

Lone Mountain Office

5-GP-2006

Attachment #6 Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.



Approved September 13, 2006

**SCOTTSDALE PLANNING COMMISSION
REGULAR SESSION
VIA LINDA SENIOR CENTER
10440 N. VIA LINDA
SCOTTSDALE, ARIZONA
AUGUST 30, 2006**

PRESENT: Steve Steinberg, Chairman
James Heitel, Vice-Chairman
David Barnett, Commissioner
Steven Steinke, Commissioner
Eric Hess, Commissioner

ABSENT: Kevin O'Neill, Commissioner
Jeffrey Schwartz, Commissioner

STAFF PRESENT: Lusia Galav
John Lusardi
Joe Padilla
Don Hadder
Kira Wauwie
Tim Connor
Phillip Kercher
Harry Higgins

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Steinberg at 5:13 p.m.

ROLL CALL

A formal roll call was conducted, confirming members present as stated above.

APPROVED

NON ACTION ITEMS DISCUSSION ONLY

3. 6-GP-2006 Lone Mountain Office

Request by owner for a major General Plan Amendment of the Land Use Element from "Rural Neighborhoods" to "Office" on a 2.5 +/- acre parcel located at 7171 E. Lone Mountain Road.

Mr. Lusardi clarified that the hearing on the GPA was for the purpose of gathering information. He reviewed the specifics on the application including the request and the surrounding context; it is in the Desert Foothills Character Area.

Mr. Lusardi highlighted goals and strategies for addressing land use and development within the Character Area boundaries. They plan to preserve the natural visual qualities of the lush upper Sonoran Desert, to promote connected areas of desert open space and trails, and to identify and celebrate the rural character with a unique desert community. Within the Foothills Character Area it is identified that appropriate land uses would be low density, single family residential, private equestrian residential, ranches, stables and major equestrian facilities, places of worship and public facilities and infrastructure.

Mr. Lusardi reviewed the appropriate zoning districts as identified by the Foothills Overlay, noting they could be combined with an ESL or an HP overlay. Office use and zoning is not supported in the identified Foothills Overlay Character Area which is located on a scenic corridor and a desert scenic roadway. Transition and buffering issues of adjacent residential uses as well as vehicular access issues could pose a problem with the use that is being proposed. There are concerns that changing the General Plan amendment may set a precedent for other sites or other parcels within that area. Mr. Lusardi clarified that the commercial development across the street from the site was not approved under the City of Scottsdale, the zoning designation was annexed.

The City sponsored an open house on June 5, 2006 and the Applicant had an open house on August 23, 2006. Both open houses were lightly attended, information and correspondence obtained were included in Commissioner packets. The Planning Commission is scheduled to make a recommendation on September 27th and City Council will hear the case on October 31, 2006.

In response to a request by Commissioner Barnett, Mr. Connor explained that the scenic corridor design guidelines call for a 100-foot wide scenic corridor, regardless of the use classification. For small lot or single family residential large lot less than five acres, each site is reviewed with the hope of achieving a 50-foot wide scenic corridor. In this case in the dedicated northern and southern scenic corridor tapering would be done to minimize a stair-step effect to accomplish a natural contour. Staff hopes to work with the individual on the site plan of a residential in hopes of orientating the scenic corridor towards the intersection and utilizing that area for NAOS designation.

In response to an inquiry by Commissioner Barnett regarding the height designation, Mr. Connor explained the Foothills overlay in the ESL district has a

height restriction of 24 feet for single family residence, in the SR district there is an 18 foot restriction.

Mr. Lusardi clarified that no distinction exists in the General Plan between office and minor office. Commissioner Barnett commented about the Applicants responding to neighbor concerns by stating that they would commission an independent study to quantify impacts of the amendment on property valuation and questioned whether independent economic data is relevant to land use. Mr. Lusardi confirmed that any study results would be provided to Commissioners; staff could not verify accuracy unless a concurrent or peer analysis were run.

In response to an inquiry by Chairman Steinberg regarding area of buildable pad left after factoring all the set requirements, Mr. Connor stated that a detailed analysis would take place at the zoning level. The site plan, including plans for a drive-through, would be reviewed by Zoning and Transportation.

Mr. Connor confirmed the block wall depicted along the east side of the property on attachment number 2 ran approximately along the 50 foot setback.

Mr. David Gulino, 4413 North Saddlebag Trail, addressed the Commission. He mentioned that site plan and elevations included in the packed depicted a residential feeling development. He noted that the Ordinance and the Character Overlay did not preclude a commercial use. The intention of the Foothills Overlay was to create a character within the district that is commensurate with what was there before and with the desires of the neighbors. The Applicants intention is to meet or exceed development standards that have been created by the Overlay. The height limitation will be maintained at 18 feet and the goal is to use vegetation and berming as a screen for parking, rather than perimeter walls. He noted that building setbacks exceed the R1-70 designation.

In response to an inquiry by Commissioner Barnett, Mr. Gulino confirmed the property is essentially cut in half by scenic corridor; after dedicating one acre of the two and a half acre parcel, an acre and a half will be the building envelope.

Mr. Gulino opined that the property would not be viable as a quality residential lot, noting that the parcel is one of four in North Scottsdale less than two and a half acres and therefore would not set precedence. He mentioned that there was extensive neighborhood support. He reiterated the goals of the Desert Foothills Character Area study.

Commissioner Barnett inquired about driveway access, noting there were no easements or setbacks on the maps. Mr. Gulino explained a circular driveway may create an allowable situation off of Lone Mountain. Mr. Gulino noted that staff had a concern because the driveway was only 240 feet from the intersection.

In response to an inquiry by Commissioner Steinke, Ms. Galav confirmed that the zoning request would come through on September 27th with this application.

Commissioner Steinke clarified that the application was specifically for land use. He opined that the statement of support would have been more appropriately included with the zoning application, as opposed to the land use.

Mr. Lusardi commented that other uses or zonings that could be within the General Plan amendment needed to be looked at, which is the reason staff raised the present issue; it needed to be treated at the General Plan level while remaining aware of the concurrent zoning and CUP.

Vice-Chairman Heitel commented that a good argument was made that the parcel was one of few in the north able to sustain a change because of its small size and two major arterials. He expressed concern about what effect this would have on the future of the area if others were to come in with the same arguments. Mr. Gulino clarified that if the bank were no longer placed on the parcel any other business would have to submit a new use permit application; he offered to make the General Plan approval conditioned on the zoning approval if possible. Further specifying, Mr. Gulino expressed a willingness to stipulate a development agreement that the use would be for a bank.

In response to a question by Chairman Steinberg, Mr. Gulino confirmed that the site plan had been reviewed by the Fire Department. Mr. Gulino stated that if the City Ordinance allowed, a monument sign would be preferred.

Chairman Steinberg inquired whether the pads at Pederson's site or the Summit had been looked at, rather than having a standalone bank, noting that other standalone banks in the area had struggled. Mr. Gulino opined that the demand would support both areas.

Commissioner Hess stated that he had the same concerns as Vice-Chairman Heitel and would feel more comfortable if there were a way to tie the use permit and the zoning to the General Plan amendment application; if the bank closes its doors the City would have more control if there were a tie between these items. He mentioned the issues with the City of Phoenix zoning everything up to Jomax commercial and how that could eventually affect the desert. Mr. Gulino reiterated that the proposed development would be residential in character and respectful of preserving as much open space as possible.

In response to an inquiry by Vice-Chairman Heitel, Mr. Gulino estimated that the hours of operation would be normal business hours, 9 a.m. to 5 or 6 p.m.; he offered to stipulate to those hours. Mr. Gulino reviewed the drive pattern for the drive-up window in response to a request by Chairman Steinberg. Security lighting requirements will fall under the allowable lighting for the current Foothills Overlay.

Mr. Gulino confirmed that complete site plans, elevations, and setbacks would be included in the final application in September.

In response to a question by Commissioner Hess, Mr. Padilla agreed to research whether everything could be tied together versus voting on the General Plan. He will either distribute the findings to each Commissioner individually or bring the information to the next meeting.

Christopher Heede, resident, addressed the Commission. He expressed concern about traffic on Lone Mountain and westbound traffic making left-hand turns. He noted a concern about headlights from the commercial area being visible from the residential property. Thirdly, he expressed concern about the safety of people using the area at night and the amount of people it would attract.

Brent Nerguizian, resident, addressed the Commission. He spoke in favor of the development. He noted that he had been made written promises which addressed all of his initial concerns about the development. He read a letter addressed to him from the Applicant confirming that the building height would be limited to 18 feet, parking lot lighting would be low level bollard type used only for security purposes, lighting on the building would be shielded or recessed into the building to prevent horizontal viewing of light, and parking would be confined to the south side of the building. He opined that it was important to maintain the scenic corridor of the area and that a bank would be the best use because it would be low intensity and would increase area property values.

Howard Myers, 6631 East Horned Owl Trail, addressed the Commission. He reiterated that the application was a land use issue. In no way does the Desert Foothills Overlay allow for commercial development; allowing this would open the door for development on every other major corner going down Scottsdale Road. He noted that the only commercial development in the area was the Basha's shopping center, which was not planned; it already existed.

Mr. Myers clarified that every citizen group in that area opposes the amendment; noting that the petitioners were supplying misleading information. He expressed hope that the Commission would not entertain all the ideas of the way it would look, et cetera and keep in mind the land use issue. He noted that the bank hours would be incompatible with the area. Banking hours are no longer 9 to 5, because of the drive-up ATMs.

Mr. Gulino addressed the traffic concerns raised by the speakers, noting that a traffic study would be conducted which may result in a right in, right out only situation. He mentioned that the twenty feet buffer on the south and west side should screen out any headlight impacts on the neighborhood. Mr. Gulino agreed with Mr. Myers that this was a land use issue, but felt that it would not make sense as a single family residential structure.

In response to an inquiry by Commissioner Barnett, Mr. Gulino noted that there had not been any interest in working on a differently entryway from the property owners to the west.

1. 4-GP-2006 Winstar Pro

Request by owner for a major General Plan Amendment of the Land Use Element from "Cultural/Institutional or Public Use" to "Office" on a 5/- acre parcel located at 9909 E. McDowell Mountain Ranch Road.

Mr. Lusardi requested that 4-GP-2006 and 5-GP-2006 be reviewed together.

2. 5-GP-2006 2005 R.E. Investments

Request by owner for a major General plan Amendment of the Land Use Element from "Cultural/Institutional or Public Use" to "Office" on a 5+/- acre parcel located at 15522 N. Thompson Peak Parkway.

Mr. Lusardi stated that the two cases had similar issues. He reviewed that a General Plan amendment was filed in 2003 for employment and was withdrawn by the Applicant. The Council approved a General Plan amendment on the adjacent site for urban neighborhoods and then in 2005 they denied a General Plan amendment for urban neighborhoods on the subject sites. The major issues being reviewed are the impact on adjacent and surrounding land uses with respect to view corridors and view-sheds. The difference between the two sites, is GP-5 has access only from McDowell Mountain Ranch Road. Staff would work with the Applicant, the developers of GP-4, to provide for access to GP-5, which would typically be through a dedication on the site. The third issue was influences on the historic Old Verde Canal and how it would be impacted by development.

In response to a question by Commissioner Barnett, Ms. Wauwie explained that the other nearby parcel passed by City Council was zoned R1-35 because the companion zoning case requesting a rezoning to R-5 had not yet been considered for final decision; additional work needed to be done on the details of the case.

Vice-Chairman Heitel inquired regarding a letter from the owners of the adjacent site which suggested that they believed they should receive office designation if the other two parcels were approved. The owner of that property indicated that he would address questions during the public speaking segment of the meeting.

In response to a question by Commissioner Barnett, Mr. Lusardi stated that from a planning perspective the two properties could be looked at as a single development with respect to access; GP-5 has to get its access from the site on GP-4 and the adjacent property. Staff cannot guarantee that the two properties will be developed simultaneously or with one developer. Transportation planning would not allow access from North Thompson Peak Parkway.

Commissioner Steinke inquired about whether the access that touches North Thompson Peak just before the bridge is continuous and if it could be a potential access. Mr. Kercher explained that what is under construction was a loop driveway being constructed as part of the McDowell Mountain Ranch Aquatic Center. Some potential exists to have access from the loop road, but the Transportation Department's goal is to get access to McDowell Mountain Ranch. The loop is not designed to street standards for access, it is a driveway. The Transportation Department would like to see all three developments work together to achieve an access plan that will work coming off of McDowell Mountain Ranch Road.

Vice-Chairman Heitel suggested there may be opportunities to require the two parcels to be developed in a similar cohesive manner in order to avoid traffic

problems. Mr. Lusardi reiterated that there cannot be a stipulation, although staff could encourage the Applicants to work together; the site design will be looked at during a zoning or DRB hearing.

Paul Gilbert, representative for the Applicants, addressed the Commission. He opined that the cultural institutional designation was not a practical use for the properties. He reviewed that the property owners had unsuccessfully applied for both employment and multifamily residential in the past, they are now coming forward with office. Mr. Gilbert reviewed the reasons that office use would be an appropriate use for the area.

In response to a question by Vice-Chairman Heitel concerning connectivity between the two parcels, Mr. Gilbert stated that he could inform them of the need for inner connection. Mr. Gilbert noted that a specific site plan was not chosen because the owners wanted to establish the use as a General Plan amendment and then bring it in with the zoning case that would follow.

Chairman Steinberg inquired about the reason for bringing in a two-story concept when City Council recommended a one story or SR 18 foot maximum height. Mr. Gilbert argued that that opinion was never expressed as a majority view of the City Council; when presenting a site plan compatibility may be shown for two-story. He clarified that there was no slope that would preclude any major objections to a two story structure.

Commissioner Steinke observed that 5-GP-2006 is an island and cannot be accessed without addressing access. If the Commission is going to be asked to vote on the use he hoped that the access question would be addressed even without a zoning request.

John Thomas addressed the Commission as a representative of his mother Judy Thomas who owned the adjacent property. He addressed Vice-Chairman Heitel's question regarding the letter he had written. He explained that because their property is surrounded by commercial, it would make sense to allow them to have rentals on their property, as opposed to individual residential. Mr. Thomas mentioned that a topographical survey was recently conducted on their property which showed a 17-foot fall. He felt this indicated that there may be a larger fall on the applicant properties; it would seem reasonable and beneficial to allow up to three stories if that were the case.

In response to an inquiry by Commissioner Barnett, Mr. Thomas clarified that there was no time frame for zoning application as of yet.

WRITTEN COMMUNICATION

None.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission adjourned at 6:43 p.m.

.

Respectfully submitted,
A/V Tronics, Inc.